



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

May 10, 2002

CERTIFIED MAIL

7001 0320 0005 6260 6183

Ms. Carolyn Mayer
Philip Services Corp.
955 Powell Avenue SW
Renton, WA 98055-2908

Doug Hotchkiss
Port of Seattle, Pier 69
P.O. Box 1209
Seattle, WA. 98111

Dear Ms. Mayer and Mr. Hotchkiss

**Re: Burlington Environmental, Inc. a wholly owned subsidiary of Philip Services Corporation, Pier-91 Facility: Permit No. WAD000812917
Concerning Permit Renewal**

The Philip Services Corporation (PSC) as operator and the Port of Seattle (POS) as owner of the Pier-91 dangerous waste storage and treatment facility; have not submitted a renewal application for the Dangerous Waste Permit for the above referenced facility. This permit renewal should have been submitted 180 days prior to the expiration date of August 26, 2002 according to WAC 173-303-806(6). The Washington State Department of Ecology is requesting a written response from the permittee on this issue.

PSC will need to submit a permit renewal application to Ecology for corrective action that is presently covered under Agreed Order No. DE 98HW-N108 that was effective on April 10, 1998 and incorporated by reference into the current permit. Ecology will work with the permit holders to identify the information that should be included in the permit renewal application. In general this information would include but not be limited to: Reference to the existing agreed order, financial assurance and provisions for Post Closure.

At the present time and after the permit expires in August, PSC shall comply with all sections of the Dangerous Waste Permit that are applicable to the current operations at the Pier-91 facility until which time a new permit can be issued. Ecology acknowledges that PSC has ceased dangerous waste operations; however corrective action is continuing and final facility clean closure of the below surface contamination has not yet been achieved. The continuation of the expired permit will remain in force after the expiration date according to provisions in WAC 173-303-806(7)(a) and WAC 173-303-806(7)(b).

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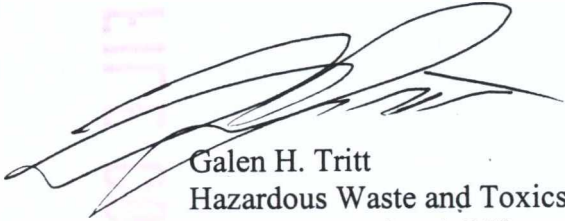


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Carolyn Mayer
Doug Hotchkiss
May 10, 2002
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If you have any questions or wish to further discuss the permit renewal issue, please do not hesitate to contact me at (425) 649-7280 or Gtri461@ecy.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Galen H. Tritt', is written over a faint pink rectangular stamp.

Galen H. Tritt
Hazardous Waste and Toxics Reduction Program
Northwest Regional Office

GHT:sd

cc: Janet Rhode, HWTR-HQ
Martin Werner, HWTR-HQ
Julie Sellick, HWTR- NWRO
Dave Misko, HWTR- NWRO
Jan Palumbo, EPA Region 10
Jack Boller, EPA Region 10
Susan Roth, (Roth Consulting, for POS)